

David E. Chavez
 Nevada Bar No. 15192
 BALLARD SPAHR LLP
 1980 Festival Plaza Drive, Suite 900
 Las Vegas, Nevada 89135
 Telephone: 702.471.7000
 Facsimile: 702.471.7070
 chavezd@ballardspahr.com

*Attorney for Rancho Mesquite Casino, Inc. d/b/a
 Eureka Casino Resort*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NJK

IN RE: EUREKA CASINO BREACH
 LITIGATION.

CASE NO. 2:23-cv-00276-CDS-BNW

This Document Relates to: All Actions

**Stipulation and ~~Proposed~~ Order to Extend
 Time for Defendant to File Answer to
 Plaintiffs' Consolidated Class Action
 Complaint**

Defendant Rancho Mesquite Casino, Inc. d/b/a Eureka Casino Resort ("Rancho Mesquite") and Plaintiffs William Houghton, Michael Oldham, Kristen Andrew and Andrew Figura ("Plaintiffs") stipulate as follows:

1. Pursuant to the Court's Order Granting Consolidation Under Federal Rule of Civil Procedure 42(a) in this Action (ECF No. 29) and Order Granting Motion to Consolidate Cases in Case No. 2:23-cv-276-CDS-CJA (ECF No. 23), Plaintiffs filed their Consolidated Class Action Complaint ("CAC") on June 16, 2023 (ECF No. 31).

2. On September 15, 2023, Defendant filed a motion to dismiss the CAC (ECF No. 41).

3. On September 19, 2024, the Court entered an order granting in part and denying in part Defendant's motion to dismiss (ECF 53). That order directed Plaintiffs to file any amended complaint by October 3, 2024.

4. Counsel for the parties have conferred, and Plaintiff's counsel has confirmed that Plaintiffs do not intend to file a Second Amended Complaint. As a result, Defendant's current deadline for filing an Answer to the CAC is October 3, 2024.

5. Rancho Mesquite has requested, and Plaintiffs have agreed to, an extension of this deadline up to and including October 14, 2024, to provide additional time for Defendant to properly investigate and respond to the allegations contained in the CAC.

6. The parties agree that there is good cause for this extension, and that no party will be prejudiced by the requested relief.

7. This is the first request for an extension made after the Court's disposition of Defendant's motion to dismiss, and it is made in good faith and not for purposes of delay.

Dated: October 2, 2024

/s/ David E. Chavez

David E. Chavez, Esq.
Nevada Bar No. 15192
BALLARD SPAHR LLP
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135
Telephone: (702) 471-7000
Facsimile: (702) 471-7070
E-mail: chavezd@ballardspahr.com

Edward J. McAndrew, Esq.
Admitted Pro Hac Vice
BAKER & HOSTETLER LLP
1735 Market Street, Suite 3300
Philadelphia, PA 19103-7501
Telephone: (215) 568-3100
Facsimile: (215) 568-3439
Email: emcandrew@bakerlaw.com

Marcus McCutcheon, Esq.
Admitted Pro Hac Vice
BAKER & HOSTETLER LLP

/s/ M. Anderson Berry

M. Anderson Berry, Esq. (*pro hac vice*)
Gregory Haroutunian, Esq. (*pro hac vice*)
**CLAYEO C. ARNOLD, A
PROFESSIONAL LAW CORP.**
865 Howe Avenue Sacramento, CA
95825
Telephone: (916) 777-7777
Facsimile: (916) 924-1829
aberry@justice4you.com
gharoutunian@justice4you.com

Gary M. Klinger (*pro hac vice*)
**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC**
227 W. Monroe Street, Suite 2100
Chicago, IL 60606
Tel: 866-247-0047
gklinger@milberg.com


Interim Co-Lead Counsel for Plaintiffs

1 600 Anton Blvd., Suite 900
2 Costa Mesa, CA 92626-
3 Telephone: (714) 754-6600
4 Facsimile: (714) 754-6611
5 Email: mmccutcheon@bakerlaw.com

6 *Attorneys for Defendant Rancho*
7 *Mesquite Casino, Inc. dba Eureka*
8 *Casino Hotel*

9
10
11 **Order**

12 On the basis of good cause, IT IS ORDERED that the deadline for Defendant
13 Rancho Mesquite Casino, Inc. d/b/a/ Eureka Casino Hotel to respond to Plaintiffs'
14 Consolidated Class Action Complaint is extended up to and including October 14, 2024.

15
16 
United States Magistrate Judge

17 Dated: October 7, 2024
18
19
20
21
22
23
24
25
26
27
28